

REMARKS

This is in response to the Office Action mailed on April 11, 2003 as well as a telephonic interview between the examiner and the undersigned attorney on August 11, 2003.

In the Office Action, claims 14-31 were rejected. With this response, no claims are amended and all claims 14-31 are presented for reconsideration and allowance.

In the telephonic interview of August 11, 2003, applicants' attorney presented a distinction between the subject matter of independent claim 14 and the teachings of Mazereeuw (U.S. Patent application publication number US 2002/0035497). In response, the examiner drew the undersigned attorney's attention to three publications: U.S. Patent 5,778,675; U.S. Patent 5,661,463; and U.S. Patent Application Publication Number 2003/0098671. Copies of these publications are provided herewith under the accompanying Information Disclosure Statement. No agreement was reached with respect to independent claim 14 and the distinction urged by applicants.

As urged during the telephonic interview, applicants respectfully submit that "generators" set forth in independent claim 14 are neither taught nor suggested by the substations of Mazereeuw. Mazereeuw clearly indicates that substations "obtain a resource and redistribute it to customers or other substations." See paragraph 9. Applicants have carefully read the disclosure of Mazereeuw and respectfully submit that all substations disclosed therein redistribute a resource. They do not generate a resource. Upon urging this distinction during the telephonic interview, three new publications were presented by the Examiner to support the proposition that substations, of the type disclosed by Mazereeuw, can include electrical generation facilities. However, applicants respectfully believe that

independent claim 14 is allowable over those references and the art already of record in view of the following.

U.S. Patent Publication 2003/0098671 was one of the three publications presented during the telephonic interview. However, that reference has a filing date of November 26, 2001. Applicants respectfully submit that all of the five provisional patent applications, upon which this application relies for priority, have filing dates that pre-date the filing date of the 2003/0098671 publication. Accordingly, applicants respectfully submit that that publication is not prior art to this application.

U.S. Patent 5,661,463 to Letchak et al. discloses a direct current battery plant alarm monitoring remote apparatus. With respect to this patent, column 1, line 15 of the patent was drawn to the undersigned attorney's attention during the telephonic interview. That portion of the '463 patent provides:

"High capacity secondary or backup batteries are used in stationary applications such as remote telephone equipment sites, electric utility substations, and industrial plants to perform vital functions of circuit breaker tripping and automatic switching, to provide for the orderly shutdown of generating units in an emergency, including the starting of emergency diesel-generators, and to power other similar equipment."

It is respectfully submitted that Letchak et al. does not teach or suggest using the diesel-electric generators mentioned in column 1 to provide a resource in a sense that the generators of independent claim 14 provide a resource for others to consume. Instead, the emphasis of Letchak is to ensure that vital functions of circuit breaker tripping and automatic switching in an emergency are maintained. Accordingly, applicants respectfully submit that Letchak et al. does not teach or suggest generators as set forth in independent claim 14.

With respect to U.S. Patent 5,778,675, the examiner noted in the last paragraph of column 1 of that patent, "This invention will allow simultaneous power generation and energy storage at the utility substation level which provides a reserve in response to network outages." Even if this reference can be thought to teach or suggest the provision of electricity generators at utility substations, applicants respectfully submit that there is no suggestion to combine the teachings of this patent with Mazereeuw. Accordingly, applicants respectfully submit that independent claim 14, and all claims which depend therefrom, are allowable.

In conclusion, applicants respectfully submit that the entire application is now in condition for allowance. Reconsideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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